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PACIFIC  **TELESIS.**
Group - Washington

July 13, 1992

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

**ORIGINAL
FILE**

Donna R. Searcy
Secretary
Federal Communications Commission
1919 M Street, N.W., Room 222
Washington, D.C. 20554

Dear Ms Searcy:

Re: *RM 7967, AAD 92-39 - Amendment of Part 61 of the Commission's Rules to Require Quality of Service Standards in Local Exchange Carrier Tariffs*

On behalf of Pacific Bell and Nevada Bell, please find enclosed an original and six copies of their "Reply Comments" in the above proceeding.

Please stamp and return the provided copy to confirm your receipt. Please contact me should you have any questions or require additional information concerning this matter.

Sincerely,



Enclosures

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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

JUL 13 1992

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Amendment of Part 61 of the) RM-7967, AAD 92-39
Commission's Rules to Require)
Quality of Service Standards)
in Local Exchange Carrier)
Tariffs)
_____)

REPLY COMMENTS OF PACIFIC BELL AND NEVADA BELL

Pacific Bell and Nevada Bell (hereafter the "Pacific Companies") respectfully reply to the comments submitted in response to the Joint Petition for Rulemaking ("Petition") by the International Communications Association and the Consumer Federation of America, ("Joint Petitioners") dated April 6, 1992 in the above-captioned proceeding.

The overwhelming response to the Petition is negative. All but three of the sixteen commentors oppose the Petition.¹ Commentors overall reject the request that the Commission establish a rulemaking proceeding to require local exchange carriers ("LECs") subject to price cap regulation to include their existing internal quality of service standards in their interstate tariffs. Many commentors agree that including service

¹ Supporters of the Petition were the Tele-Communications Association, the Information Technology Association of America and the Independent Data Communications Manufacturer's Association.

standards in tariffs is unnecessary as an incentive to quality performance and would be burdensome to the Commission and to carriers. Moreover, commentators assert that the Petition improperly raises a matter recently rejected by the Commission. The record is so clear that no further discussion on these points is necessary.

Several of the commentators supporting the Petition attempt to link service standards published in the tariffs with network reliability as if one affected the other. That logic is not sound. It is true that a network failure may disrupt customer service, however, network reliability and service standards are otherwise separate and distinct components of telecommunication service. Knowing, for example, the actual average installation times for voice grade private line service (a service standard) will not prevent a network outage or system failure (network reliability). The publication of service standards in LECs' tariffs will have no effect on the reliability of the network. Publication of standards will not guarantee that the many tasks necessary to ensure network function will be done. Network reliability is the result of thoughtful planning, network design, procurement of reliable equipment, proper maintenance and effective employee training. In fact, some of the standards suggested for inclusion in tariffs are unrelated to keeping the network up and running. Recent Commission actions

such as the establishment of the Network Reliability Council² will be much more effective in ensuring network reliability. The new Network Outage Reports required from carriers will provide notice and focus for network reliability issues.³

One of the supporters of the Petition, the Tele-Communications Association ("TCA"), seeks to expand the Joint Petitioners' recommendation by suggesting the Commission establish a semi-annual "report card" that would detail carriers' performances. The Pacific Companies oppose this additional reporting requirement as another unnecessary, duplicative and burdensome task with little redeeming benefit.

Performance information is currently available from existing ARMIS reports. ARMIS Reports 43-05 (Quarterly Service Quality Report) and 43-06 (Semi-annual Service Quality Report) currently include most of the data suggested by the Petition and TCA. These reports are published quarterly and semi-annually, respectively, and are publicly available so that those who wish to develop benchmarks can do so by examining these reports.

Performance information is also available through reports required of carriers by their state regulators. The California Public Utilities Commission ("CPUC") currently

² The Network Reliability Council brings together leaders in the telecommunications industry and telecommunications experts from academic, regulatory and consumer organizations to explore and recommend measures that would enhance network reliability.

³ See Rules to Provide for Notification By Common Carriers of Service Disruption, CC Dkt No. 91-273, FCC 92-58, released February 27, 1992.

requires extensive performance reports from Pacific Bell and other California carriers.⁴ Many of the same categories listed by TCA and the Joint Petitioners are covered by the California requirements.⁵

Additional performance information may also be required for ARMIS reports. The Commission's Common Carrier Bureau Accounting and Audits Division has just released a public notice suggesting modifications and additions to existing reporting requirements which are part of the Price Cap Monitoring Docket.⁶ There is considerable overlap between TCA's recommendations and the Public Notice. For example, TCA calls for results of customer satisfaction surveys by class of customer and location within each state. The Public Notice requests comments on standardized customer categories, overall quality measurements that customers can be asked about and some measure of satisfaction more rigorous than "percent satisfied".⁷ TCA asks for actual average installation times for various services

⁴ Pacific Bell makes nearly 200 reports to the CPUC on various aspects of business. Of these, more than a dozen report on some factor of customer satisfaction with telephone service, which is one suggested item of the TCA "report card."

⁵ The CPUC also has established minimum performance standards for California carriers. See CPUC General Order No. 133-B, Rules Governing Telephone Service, Adopted May 20, 1992, Effective June 19, 1992, Decision 92-05-056 in A.91-07-041.

⁶ Modifications to Service Quality/Infrastructure Reporting," Public Notice, DA 92-898, released July 7, 1992.

⁷ TCA Comments, p. 6; Public Notice, p. 6.

according to Metropolitan Statistical Areas (MSA)/non-MSA areas within each state. The Public Notice requests comment on a new reporting requirement for information that simply reports installation intervals in days without reference to the LEC's standard intervals.⁸ TCA asks for actual availability and error-free seconds to be measured for certain data lines when non-intrusive monitoring is widely available. The Public Notice requests comment on whether this data should now be required given the advances in technology since the Commission last considered these measures.⁹ In view of the Public Notice, and the possibility that information similar to that of TCA's "report card" would be required by the proposed modifications, the Commission should reject TCA's recommendation as duplicative and unnecessary.

⁸ TCA Comments, p. 6; Public Notice, p. 3.

⁹ TCA Comments, p. 7; Public Notice, p. 7.

For the reasons stated above, the Pacific Companies urge the Commission to reject the Petition as unnecessary, burdensome without commensurate benefit and as an untimely request for reconsideration of a previously Commission decision. TCA's recommendation similarly should be rejected.

Respectfully submitted,

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Date: July 13, 1992

CERTIFICATE OF SERVICE

A copy of the foregoing reply comments from Pacific Bell and Nevada Bell regarding comments filed on Rulemaking 7967, (changing the Commission's rules to require quality of service standards to be included in local exchange tariffs) was forwarded by first class mail today, July 13, 1992, to each of the parties in the accompanying listing.



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